

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 8376 of 2019**

1. Saroj Kumar Choudhuri, S/o. Late Shri Anil Prasad Choudhuri, Aged About 62 Years, Retired Upsanchalak Machli Palan Karyalay- Machli Palan Vibhag Chhattisgarh Raipur, R/o. E-60 Ramalife City Face-01 Ward No.02 Abdul Kalam Nagar Sakri Thana Sakri District Bilaspur Chhattisgarh
2. Biharilal Choudhari, S/o. Late Shri Motilal Choudhari, Aged About 62 Years, Retired Matsya Nirikshak Karyalay Karyalay Upsanchalak Machli Palan Raipur, R/o Plat No. 05 New Sale Tax Colony Housing Board Colony Ke Pass Bhawna Nagar Khamhardeeh Raipur District Raipur Chhattisgarh.
3. Kishan Lal Khare S/o Late Shri Ramsewak Khare Aged About 62 Years Retired Assistant Grade 01 Sanchalnalaya Machli Palan Vibhag Chhattisgarh Raipur R/o Torwa Primary School Ke Pass Suryawanshi Mohalla Torwa Bilaspur District Bilaspur Chhattisgarh
4. Baleshwar Prasad Patel S/o Late Shri Janakram Patel Aged About 62 Years Retired Sahayak Sanchalak Karyalay Sahayak Sanchalak Machli Palan Vibhag Raigarh R/o Village Dhanagar Thana Raigarh District Raigarh Chhattisgarh

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1. State Of Chhattisgarh Through Secretary, Samanya Prashan Vibhg, Govt. Karmchari Kalyan Shakha Mantralay Mahanadi Bhawan Naya Raipur Chhattisgarh
2. Secretary, Machli Palan Vibhag Chhattisgarh Shashan Mantralay Mahanadi Bhawan Naya Raipur Chhattisgarh
3. Sanchalak Sanchalanalay Chhattisgarh Machli Palan Vibhag Indrawati Bhawan Naya Raipur Chhattisgarh
4. Upsanchalak, Karyalay Upsanchalak Machli Palan Telibandha Raipur Chhattisgarh
5. Sahayak Sanchalak, Karyalay Sahayak Sanchalak Machli Palan Raigarh District Raigarh Chhattisgarh
6. Sambhagiya Sanyukt Sanchalak, Kosh Lekha Avm Pension Raipur Sambhag District Raipur Chhattisgarh
7. Sambhagiya Sanyukt Sanchalak Kosh Lekha Avm Pension Bilaspur Sambhag District Bilaspur Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Rajendra Kumar Patel, Advocate
For State	:	Mr. Kunal Das, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board**

15.10.2019

1. The grievance of the petitioners in the present writ petition is for grant of the benefit of one annual increment while fixing pension and other retiral dues payable to the petitioners.
2. According to the counsel for the petitioners, the petitioners retired from service on 30.06.2019. Since the petitioners retired from service w.e.f. 30.06.2019, they would be entitled for the annual increment that would be payable to them for the period between 01.06.2018 to 30.06.2019 as the date of annual increment payable to the petitioners is 1st of July. Therefore, according to the counsel for the petitioners, while quantifying pension and other retiral dues, the annual increment which the petitioners became entitled for having worked till 30.06.2019 has to be added to the last pay and other allowances also.
3. Given the said facts and circumstances of the case, let the respondents 1 to 3 consider the case of the petitioners for grant of one annual increment to the last salary which the petitioners have received for the purpose of quantifying pension and other retiral dues. While deciding the claim of the petitioners, the respondents shall take into consideration the judgment of the Division Bench of Madras High Court in the case of P. Ayyamperumal vs. The Registrar, Central Administrative Tribunal and others decided on 15.09.2017 in W. P. No. 15732 of 2017.
4. With the aforesaid direction, the writ petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge